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Attorneys for Intervenor
JOHN LEE HOLT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL C. BOLIN,)	NO. 1:99-cv-05279-LJO
)	
Petitioner,)	
)	STIPULATION AND ORDER GRANTING
v.)	JOHN LEE HOLT'S MOTION
)	TO INTERVENE
KEVIN CHAPPELL, Warden,)	
San Quentin State Prison,)	
)	
Respondent.)	
)	
)	

Intervenor, JOHN LEE HOLT, Petitioner, PAUL BOLIN, and Respondent, Warden KEVIN CHAPPELL, by and through their undersigned counsel, hereby agree and stipulate as follows:

1. On February 8, 2013, Mr. Holt moved to intervene in Petitioner Bolin's case, pursuant to Rule 24, Federal Rules of Civil Procedure, for the limited purpose of asserting his attorney-client privilege and work product protection during the testimony of Charles Soria, Howard Varinsky and Bruce Binns at the evidentiary hearing scheduled for March 18, 2013, and in any other proceeding in this

case in which such assertion may be necessary. Mot. Intervene at 1 (Doc. 318).

2. In its Order dated February 22, 2013, this Court directed the parties or Mr. Holt to prepare and file a stipulation and proposed order concerning Mr. Holt's intervention by March 4, 2013. Doc. 322.

3. The parties and Intervenor agree and stipulate that Mr. Holt's counsel should be permitted to intervene at the evidentiary hearing for the limited purpose of asserting Mr. Holt's attorney-client privilege and work product protection during the testimony of Charles Soria, Howard Varinsky and Paul Strand.¹

4. Counsel for Respondent, Deputy Attorney General Rachelle Newcomb, and counsel for Petitioner, Brian Abbington, have authorized the undersigned to electronically sign this stipulation on their behalf.

Dated: February 26, 2013

Respectfully submitted,

ROBERT M. MYERS

JOSEPH SCHLESINGER
Acting Federal Defender

/s/ Jennifer Mann
JENNIFER M. MANN
Assistant Federal Defender

Attorneys for Intervenor
JOHN LEE HOLT

Dated: February 25, 2013

JOSEPH SCHLESINGER
Acting Federal Defender

/s/ Brian Abbington (as authorized 02/25/13)
BRIAN ABBINGTON
Assistant Federal Defender

Attorneys for Petitioner
PAUL C. BOLIN

¹Mr. Holt did not include Paul Strand in his Motion to Intervene. Respondent indicated an intention to question trial counsel Soria and Mr. Strand about discussions between Soria and Strand in the *Holt* case. Respondent's Response to Minute Order at 4-5 (Doc. 321).

1 Dated: February 26, 2013

KAMALA HARRIS
Attorney General

3 /s/ Rachelle A. Newcomb (as authorized 02/26/13)
4 RACHELLE A. NEWCOMB
Deputy Attorney General

5 Attorneys for Respondent
6 KEVIN CHAPPELL

7 **ORDER**

8 By the stipulation of the parties and for good cause shown, John Lee Holt's motion to intervene
9 is GRANTED. Mr. Holt's counsel may be present and participate at the evidentiary hearing for the limited
10 purpose of asserting Mr. Holt's attorney-client privilege and work product protection during the testimony
11 of Charles Soria, Howard Varinsky and Paul Strand.

12 IT IS SO ORDERED.

13 Dated: February 27, 2013

15 /s/ Lawrence J. O'Neill
16 Lawrence J. O'Neill
United States District Judge